

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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<p>SHLOMO SPAR, Individually and On Behalf of All Others Similarly Situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>CELSION CORPORATION, MICHAEL H. TARDUGNO, JEFFREY W. CHURCH, and NICHOLAS BORYS,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 3:20-cv-15228-ZNQ-DEA</p> <p style="text-align: center;"><b><i>Document Electronically Filed</i></b></p> <p>MOTION DATE: SEPTEMBER 7, 2021</p> <p style="text-align: center;"><b>NOTICE OF MOTION TO DISMISS</b></p> <p style="text-align: center;"><b><i>ORAL ARGUMENT REQUESTED</i></b></p>
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**TO:**

<p>Laurence M. Rosen <b>THE ROSEN LAW FIRM, PA</b> 609 W. South Orange Ave., Suite 2P South Orange, New Jersey 07079 (T): (973)313-1887 (e): <a href="mailto:lrosen@rosenlegal.com">lrosen@rosenlegal.com</a></p>
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**PLEASE TAKE NOTICE** that on September 7, 2021, or as soon thereafter as counsel may be heard, Defendants Celsion Corporation, Michael H. Tardugno, Jeffrey W. Church, and Nicholas Borys (collectively, “Defendants”), by and through their attorneys, Gibbons P.C. and Baker & McKenzie LLP, will move before the United States District Court for the District of New Jersey, Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey

08608, for an Order dismissing Plaintiff's Amended Class Action Complaint [ECF No. 19] with prejudice for failure to state a claim.

**PLEASE TAKE FURTHER NOTICE** that in support of the motion, Defendants will rely upon the accompanying Memorandum of Points and Authority and Request for Judicial Notice submitted herewith, and all other pleadings and memoranda on file in this matter.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted herewith.

Respectfully submitted,

Dated: August 6, 2021  
Newark, New Jersey

By: s/ Kate Janukowicz  
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